

1-1 By: Harris S.B. No. 2505  
1-2 (In the Senate - Filed April 6, 2009; April 8, 2009, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 April 28, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 28, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 2505 By: Deuell

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to safety of children who participate in rodeos.  
1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-12 SECTION 1. Subtitle A, Title 9, Health and Safety Code, is  
1-13 amended by adding Chapter 768 to read as follows:  
1-14 CHAPTER 768. CHILDREN PARTICIPATING IN RODEOS  
1-15 Sec. 768.001. DEFINITIONS. In this chapter:  
1-16 (1) "Bull riding helmet" means a rodeo helmet that is  
1-17 designed to provide substantial protection for a person's head and  
1-18 face during bull riding.  
1-19 (2) "Child" means a person under 18 years of age.  
1-20 (3) "Department" means the Department of State Health  
1-21 Services.  
1-22 (4) "Executive commissioner" means the executive  
1-23 commissioner of the Health and Human Services Commission.  
1-24 (5) "Protective vest" means protective clothing that  
1-25 covers a person's chest and torso to prevent or mitigate injury to  
1-26 those areas.  
1-27 (6) "Rodeo" means an exhibition or competition,  
1-28 without regard to whether the participants are compensated,  
1-29 involving activities related to cowboy skills, including:  
1-30 (A) riding a horse, with or without a saddle,  
1-31 with the goal of remaining on the horse while it attempts to throw  
1-32 off the rider;  
1-33 (B) riding a bull;  
1-34 (C) roping an animal, including roping as part of  
1-35 a team;  
1-36 (D) wrestling a steer; and  
1-37 (E) riding a horse in a pattern around preset  
1-38 barrels or other obstacles.  
1-39 (7) "Rodeo helmet" means headgear that is designed to  
1-40 provide protection for a person's head during a rodeo activity  
1-41 other than bull riding.  
1-42 Sec. 768.002. PROTECTIVE GEAR REQUIRED FOR CHILDREN  
1-43 PARTICIPATING IN CERTAIN RODEO ACTIVITIES. (a) A child may not  
1-44 participate in:  
1-45 (1) a rodeo activity described by Section  
1-46 768.001(6)(A) or (D) unless the child wears a rodeo helmet; or  
1-47 (2) bull riding unless the child wears a bull riding  
1-48 helmet and a protective vest.  
1-49 (b) A parent or legal guardian of the child may not  
1-50 knowingly or recklessly permit the child to participate in:  
1-51 (1) a rodeo activity described by Section  
1-52 768.001(6)(A) or (D) unless the child is wearing a rodeo helmet; or  
1-53 (2) bull riding unless the child is wearing a bull  
1-54 riding helmet and protective vest.  
1-55 (c) To satisfy the requirements of this section, a helmet or  
1-56 protective vest must meet the standards adopted under Section  
1-57 768.004.  
1-58 (d) In a cause of action in which damages are sought for  
1-59 injuries or death suffered by a child in connection with a rodeo  
1-60 activity, including bull riding, the failure of the child or of the  
1-61 parent or legal guardian of the child to comply with this chapter  
1-62 does not constitute responsibility causing or contributing to the  
1-63 cause of the child's injuries or death for purposes of Chapter 33,

2-1 Civil Practice and Remedies Code.

2-2 Sec. 768.003. RODEOS ASSOCIATED WITH SCHOOL. (a) This  
2-3 section applies only to a primary or secondary school that  
2-4 sponsors, promotes, or otherwise is associated with a rodeo in  
2-5 which children who attend the school are likely to participate.

2-6 (b) A primary or secondary school to which this section  
2-7 applies shall, not more than 14 days before each rodeo associated  
2-8 with the school, conduct a mandatory educational program on safety,  
2-9 including the proper use of protective gear, for children planning  
2-10 to participate in the rodeo. The educational program may consist of  
2-11 an instructional video, subject to department approval.

2-12 (c) A child may not participate in a rodeo associated with  
2-13 the child's school unless the child completes the educational  
2-14 program under this section not more than 14 days before the first  
2-15 day of the rodeo.

2-16 Sec. 768.004. RULES. (a) The executive commissioner by  
2-17 rule shall adopt standards for:

- 2-18 (1) rodeo helmets;  
2-19 (2) bull riding helmets; and  
2-20 (3) protective vests.

2-21 (b) For purposes of this section, the executive  
2-22 commissioner may adopt standards established under federal law or  
2-23 adopted by a federal agency or a nationally recognized  
2-24 organization.

2-25 (c) The executive commissioner shall adopt rules  
2-26 establishing requirements for the educational program under  
2-27 Section 768.003.

2-28 SECTION 2. (a) The change in law made by this Act applies  
2-29 only to a rodeo activity that occurs on or after January 1, 2010.

2-30 (b) The executive commissioner of the Health and Human  
2-31 Services Commission shall adopt the rules required by Section  
2-32 768.004, Health and Safety Code, as added by this Act, not later  
2-33 than November 1, 2009.

2-34 SECTION 3. This Act takes effect immediately if it receives  
2-35 a vote of two-thirds of all the members elected to each house, as  
2-36 provided by Section 39, Article III, Texas Constitution. If this  
2-37 Act does not receive the vote necessary for immediate effect, this  
2-38 Act takes effect September 1, 2009.

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